

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

**DAVID T. MOORE, TDCJ #1165885,**

Plaintiff,

v.

**TDCJ,**

Defendant.

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Civil Action No. **3:19-CV-1379-L**

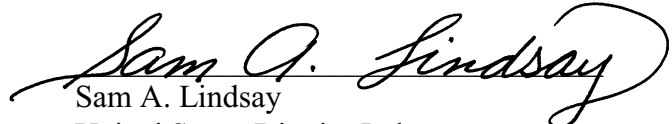
**ORDER**

On June 12, 2019, the Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”) (Doc. 4) was entered, recommending that the court dismiss without prejudice this action pursuant to 28 U.S.C. § 1406(a) for improper venue. The magistrate judge notes that the court has authority to transfer the case in the interest of justice to any district or division in which the action could have been brought but advises against transferring the case because Plaintiff’s claims pertain to events that allegedly occurred at various “TDCJ facilities throughout the State” over a period of thirteen years and give rise to an issue of misjoinder. Report 2. In correspondence filed June 12, 2018, and July 8, 2019, Defendant requests assistance in dismissing this action. He also asserts that it was never his intention to file or litigate a prisoner’s civil rights action and requests that the action be dismissed.

After reviewing the pleadings, record in this case, and Report, the court determines that the findings and conclusions of the magistrate judge are correct. In light of Plaintiff’s correspondence, however, the court **grants** his request to voluntarily dismiss this action (Docs. 6, 7), **dismisses**

**without prejudice** this action, and **rejects as moot** the findings and conclusions of the magistrate judge.

**It is so ordered** this 31st day of October, 2019.

  
Sam A. Lindsay  
United States District Judge